Supreme Court, U.S.
FILED

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In The
Supreme Court of the United States

OFFICE OF THE CLERK

AMERICAN CHIROPRACTIC ASSOCIATION, INCORPORATED, a non-profit corporation, *et al.*,

Petitioners,

v.

TRIGON HEALTHCARE, INCORPORATED, *et al.*,

Respondents.

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

APPENDIX C TO PETITION FOR WRIT OF CERTIORARI

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PROTECTIVE ORDER

MANAGED CARE ADVISORY PANEL

October 25, 1995
4:00 - 6:30 p.m.

The meeting of the Managed Care Advisory Panel was held on October 25, 1995. Those present were:

Dr. Richardson Grinnan, Trigon BCBS Chief Healthcare Officer
Dr. Larry Colley, Trigon BCBS V/P Medical Polity
Dr. Michael Hattwick, Va. Society of Internal Medicine
Dr. Robert Williams, Dept of FP, MCV
Dr. Geoffrey Viol, American College of Physicians
Dr. Verdain Barnes. Dept of IM, EVMS
Dr. Willett LeHew, Vt. Chapter of ACOG
Dr. Latane Ware, Medical Society of Virginia
Dr. Stuart Salem Va. Chapter of *AAFP*
Dr. Peter Nord, Peninsula Health Care
Dr. Tony Pelonero, Trigon Mental Health
Dr. James Carney. Trigon BOBS
Ms. Pat Maddox, Trigon BOBS
Ms. Pamela Roberts, Trigon BCBS

Absent: Dr. Torn Massaro, UVA

TOPIC Minutes of Previous Meeting

DISCUSSION Motion to Approve Minutes by Dr. LeHew.

ACTION Minutes Approved.

[REDACTED]

[REDACTED]

TOPIC Approval of Practice Guidelines from Regional Committees

1. Low Back Pain

2. Otitis Media with Effusion

3. Pediatric Asthma

DISCUSSION Dr. Ware: not comfortable with how well they have been reviewed, especially for referral to specialists.

Dr. Hattwick: we need to go over these one by one--are these meant to be referral guidelines"

Dr. Colley: yes, they are referral guidelines.

Dr. Hattwick: we should emphasize that they are referral guidelines, if they are.

Dr. Grinnan: the guidelines are a baseline of what a primary car physician should manage in these categories, and we are reviewing them regionally.

Dr. Hattwick: operationally, these are a mixture of management and referral guidelines.

[REDACTED]

[REDACTED]

ACTION Amend Plan:
To include Primary Care physician; to consider the role of primary care in guidelines being developed

Unanimously adopted by Committee.

Otitis media with effusion will go back to Committee for clarification.

Meeting Adjourned at 6:30 p.m.

Meetings in the first and second quarters of 1996 deferred due to lack of action items for agenda.

Next Meeting, July 24, 1996 at 6 p.m.

approved July 24, 1996

TRIGON
Trigon BlueCross Blue-Shield

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PROTECTIVE ORDER

J. Lawrence Cathy, M.D.
Vice President,
Corporate Medical Policy

May 2, 1996

Craig N. Bash, M.D.
Laurel Diagnostic Imaging
9811 Mallard Drive, Suite 102-104
Laurel, Maryland 20708-3 199

Dear Dr. Bash:

Thank you for your letter of April 5, 1996, regarding Trigon's back pain algorithm. In creating this algorithm, Trigon did not intend to address all issues related to backs. Rather, Trigon sought to cast the Agency for Health Care Policy and Research (AHCPR) guidelines into a user-Friendly format. We sought to maintain consistency with AHCPR on all clinically material issues.

It is worth noting that the AHCPR guidelines have a primary care orientation. They are intended to help primary care providers make decisions about treatment, consultation and the ordering of diagnostic tests. Trigon's internal review process included consultation with, and approval by representative appointed by the Virginia chapter of the American Academy of Pediatrics, the Virginia chapter of the American Academy of Family Physicians, the Virginia Society of Internal Medicine, the Virginia chapter of the

American College of Physicians, the Virginia chapter of the American College of Surgeons, the Virginia Obstetrical and Gynecological Society, the Medical Society of Virginia, the University of Virginia School of Medicine, Eastern Virginia Medical School and the Medical College of Virginia. None were neuroradiologists.

I sincerely appreciate your reading the Medical Forum and taking the time to write. When the American Society of Neuroradiologists completes its algorithm, I would be happy to receive a copy and to have it considered by an appropriate advisory committee. Thank you for your correspondence with Trigon.

Sincerely,

/s/_____

JLC/mea(bash.ltr)

cc: Hudson Moore, Editor, Medical Forum

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